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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. CR 15-0376 MMC
)	[FILED JULY 21, 2015]
Plaintiff,)	
)	
v.)	
)	
HENRY LO,)	
)	
Defendant.)	

UNITED STATES OF AMERICA,)	NO. CR 14-0442 WHO
)	[FILED AUGUST 19, 2014]
Plaintiff,)	
)	
v.)	
)	
HENRY LO,)	
)	
Defendant.)	

NOTICE OF RELATED CASES

The United States of America, pursuant to Local Criminal Rule 8-1, hereby notifies the Court that the two above-captioned cases are related. Henry LO, the defendant named in the Indictment in case number CR 14-0442 WHO (originally filed on August 19, 2014), has now been named as a defendant in a new criminal case, *United States v. Henry Lo*, CR 15-0376 MMC, which was filed on

NOTICE OF RELATED CASES
U.S. v. LO, CR 15-0376 MMC/U.S. V. LO, CR 14-0442 WHO

1 July 21, 2015, and is now pending before the Honorable Maxine M. Chesney.

2 The Indictment in the new criminal case numbered CR 15-0376 MMC (attached hereto as
3 Exhibit 1) alleges in Count One that LO committed contempt of court by violating Magistrate Judge
4 Jacqueline S. Corley's Temporary Protective Order in a civil case pending in this District, *Square 1*
5 *Bank v. Lo et al.*, CV 12-05595 JSC. It also alleges in Counts Two through Nine that LO perpetrated a
6 bank fraud scheme in 2014 and 2015, which scheme continued after he was indicted in case number CR
7 14-0442 WHO. The 2015 Indictment further alleges in Count Ten that LO committed aggravated
8 identity theft during and in relation to one of the charged instances of bank fraud, and that his
9 commission of certain bank fraud offenses and the aggravated identity theft offense constituted
10 contempt of court (as alleged in Count Eleven). Finally, the Indictment in case CR 15-0376 MMC
11 alleges in Counts Twelve and Thirteen that LO engaged in illegal monetary transactions with the
12 proceeds from the bank fraud offenses.

13 The earlier criminal case numbered CR 14-0442 WHO related to the defendant LO's scheme to
14 defraud the company Absolutely New, Inc. ("ANI"), as well as a scheme to defraud an individual
15 identified in the original Indictment as "A.W." See Ex. 2 (Indictment). ANI was LO's former employer
16 and a co-defendant of LO in the *Square 1 Bank v. Lo et al.* litigation referred to above.

17 Based on these facts, the two cases are related because they "concern one or more of the same
18 defendants and the same alleged events, occurrences, transactions or property." Crim. L.R. 8-1(b)(1).
19 This is because Count One of the 2015 Indictment (the contempt charge related to LO's violation of
20 Judge Corley's Temporary Protective Order) relates to LO's earlier scheme to defraud ANI and his
21 subsequent efforts to shield his assets from ANI's secured lender, Square 1 Bank.

22 The two cases are also related under Criminal Local Rule 8-1(b)(2) because "[b]oth actions
23 appear likely to entail substantial duplication of labor if heard by different Judges or might create
24 conflicts and unnecessary expenses if conducted before different Judges." This is because Judge Orrick
25 is already familiar with most or all of the significant facts related to the 2015 Indictment because those
26 facts were put before him in some detail during the sentencing proceedings in case number CR 14-0442
27 WHO.

28 Per the requirement of Local Criminal Rule 8-1(c)(4), government counsel states that assignment

1 of these cases to a single judge is likely to conserve judicial resources and promote an efficient
2 determination of each action.

3 The defendant LO is currently in the custody of the Bureau of Prisons or U.S. Marshals Service.
4 The government is taking steps to have LO returned to this District to appear on the new charges.

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6 DATED: July 21, 2015

Respectfully submitted,

7 MELINDA HAAG
8 United States Attorney

9 /s/

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11 Assistant United States Attorney
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